

SECTION 3 SPECIAL DISTRICTS

5.01 TOLLWAY OVERLAY DISTRICT (ZA2001-0007)

5.02 GENERAL PURPOSE AND DESCRIPTION

The Dallas North Tollway is a primary thoroughfare within Frisco. The Tollway Overlay District establishes design and development standards for properties within the Tollway corridor regarding land uses, building orientation, site amenities, access, site and building architectural design, building materials, landscaping, lighting, and signage. The Tollway Overlay District is intended to substantially advance a legitimate governmental interest that includes enhancing the quality of life in Frisco, to regulate the character of growth along the Tollway corridor, and to create a unique Tollway corridor.

5.03 BOUNDARY

The Tollway Overlay District is defined as the land included within seven hundred and fifty (750) feet of the Right-of-Way Line on either side of the Tollway. See Article III, Section 3, figure 5.07 for a comprehensive view of the District. For properties extending beyond the 750-foot boundary, the overlay architectural elements, building materials, and landscaping requirements shall be incorporated unless otherwise approved by the Director of Planning or his/her designee. Land use requirements shall not apply to that portion of the properties beyond the 750-foot boundary.

5.04 SUB-DISTRICTS

The Tollway Overlay District is divided into four sub-districts. The sub-districts and their boundaries are:

- A. **U.S. 380 Gateway** - The boundary of the U.S. 380 Gateway sub-district extends from U.S. Highway 380 to C.R. 26 (future Virginia Parkway).
- B. **Typical** - The boundaries of the Typical Corridor sub-districts extend from C.R. 26 to Cottonwood Creek and from Stewart Creek to Gaylord Parkway.
- C. **Historic** - The boundary of the Historic Gateway sub-district extends from Cottonwood Creek to Stewart Creek.
- D. **S.H. 121 Gateway** - The boundary for the S.H. 121 Gateway sub-district extends from Gaylord Parkway to S.H. 121.

Each sub-district shall comply with the general requirements listed in Article III, Section 5.05 and the sub-district requirements listed in Article III, Section 5.06. Where Tollway Overlay District requirements conflict with base zoning requirements, excluding requirements contained within a planned development, the Tollway Overlay District shall apply. Otherwise, the Tollway Overlay District shall not affect the base zoning of a property.

5.05 GENERAL REQUIREMENTS OF THE TOLLWAY OVERLAY DISTRICT

A. **Permitted Uses** - The base zoning district of a property determines the permitted land uses in the Tollway Overlay District. Permitted land uses are outlined in Article II, Section 3.03 (Schedule of Uses).

B. **Prohibited Uses**

1. The following uses are prohibited in the Tollway Overlay District:

- Mobile Home On Individual Lot
- Modular Home
- Halfway House
- Metal Building
- Building Materials & Hardware (Outside)
- Pawn Shop
- Automobile Leasing or Renting
- Automobile Reconditioning, Body/Fender Repair
- Automobile Repair Major
- Automobile Sales, New
- Automobile Sales, Used
- Boat Sales, New
- Boat Sales, Used or Repair
- Freight or Truck Terminal Yard
- Heavy Machinery Sales and Service
- Heavy Vehicle Storage
- Heliport
- Motorcycle Sales, New
- Motorcycle Sales, Used
- Motor Raceway
- Recreational Vehicle Sales, New
- Recreational Vehicle Sales, Used
- Trailer Rental
- Truck Rental or Leasing
- Truck Repair & Overhaul
- Truck Sales, New
- Truck Sales, Used
- Vehicle or Car Wash, Self Serve
- Firing Range, Indoor/Outdoor
- Flea Market
- Greenhouse & Nursery (Commercial)
- Theater, Outdoor
- Insurance/Insurance Estimators Office
- Open or Outside Storage

- of Products or Materials (Not Screened)
- Bakery (Commercial)
- Batching Plant (Concrete or Asphalt)
- Brick Company, Sales
- Building Materials & Lumber Storage Yards & Sales
- Contractor Shop or Storage Yard
- Dry Cleaning Plant or Commercial Laundry
- Landfill (Commercial)
- Landscaping Service
- Moving Company
- Office/Warehouse
- Overnight Delivery & Service Center
- Plumbing Shop & Related Services
- Rock Quarries, Sand, Gravel, or Earth Excavation
- Roofing and Siding Company
- Self-Storage or Mini Warehouse
- Welding Shop or Company
- Wholesale Distribution Center
- Wholesale Food Distribution
- Wrecking Yard, Auto Salvage, Junkyard, or Outside Reclamation
- Residential (Within 300 Feet of Tollway)
- Tire Store Sales
- Gas pumps in the S.H. 121 Gateway sub-district
- Gas pumps beyond 200' from the ROW of intersecting major thoroughfares

2. The following industrial uses will be permitted within the Tollway Overlay District only in areas designated as industrial on the Future Land Use Plan and in the Stewart Creek Business Park (located on the east side of the Tollway between Stewart Creek and the BNSF railroad tracks):

- Freight or Truck Terminal Yard
- Bakery (Commercial)
- Dry Cleaning Plant or Commercial Laundry
- Moving Company
- Office/Warehouse
- Overnight Delivery & Service Center
- Plumbing Shop and Related Services
- Welding Shop or Company
- Wholesale Distribution Center
- Wholesale Food Distribution

C. Uses with Conditional Development Standards - Several land uses within the Tollway Overlay District are permitted subject to compliance with conditional development standards. These uses and the standards are:

1. All uses containing a drive-in or drive-thru shall be permitted within the Tollway Overlay District subject to the following standards:

- a. A minimum ten foot (10') wide landscape island shall be constructed around the outer edge of the drive-thru lane for a minimum distance to equal the length of stacking required for the drive-thru facility.
 - b. The landscape island shall contain minimum three-inch (3") caliper evergreen or deciduous trees planted fifteen feet (15') on-center with minimum five (5) gallon shrubs planted three feet (3') on center. Ornamental trees evenly interspersed between the evergreen or deciduous trees may be substituted for the shrubs. If the landscape island is located on the perimeter of the property, perimeter landscaping requirements may be applied towards this requirement.
2. All uses containing a service bay shall be permitted within the Tollway Overlay District subject to the following standards:
 - a. Service bays shall not be oriented towards an adjacent street. Where a lot has frontage on more than one street, a service bay may be oriented towards a street upon provision of a landscape island and landscaping, but in no case shall a service bay be oriented towards the Dallas North Tollway.
 - b. All service bays shall be screened from adjacent streets and properties with landscaping planted on a landscape island. The landscape island shall have a minimum width of fifteen feet (15'). The landscape island shall not be located more than forty five feet (45') from the service bay.
 - c. The landscape island shall contain minimum three inch (3") caliper evergreen or deciduous trees planted fifteen feet (15') on-center with minimum five (5) gallon shrubs planted three feet (3') on-center. Ornamental trees evenly interspersed between the evergreen or deciduous trees may be substituted for the shrubs. If the landscape island is located on the perimeter of the property, perimeter landscaping requirements may be applied towards this requirement.
3. Gas Pumps and Convenience Stores with Gas Pumps shall be permitted within the Historic, Typical, and U.S. 380 Gateway Sub-Districts subject to the following standards:
 - a. Limited to two corners of intersecting Major Thoroughfares where zoning permits.
 - b. Gas pump islands must be within two hundred feet (200') of the right-of-way lines of the intersecting major thoroughfares.
 - c. Canopy columns shall be fully encased with masonry that is complimentary to that used on the main building.
 - d. Roofs of building and pump canopy shall be pitched.
 - e. The canopy band face shall be a color consistent with the main

- structure or an accent color and may not be backlit or used as signage.
- f. Within the U.S. 380 Gateway Sub-District, the following additional landscape elements are required:
- 1) A fifty (50) foot front landscape edge. Twenty (20) feet of this landscape edge may be counted toward the 7% open space requirement.
 - 2) A three (3) foot earthen berm located within the front landscape edge.
 - 3) The front landscape edge tree requirement is increased by 50%.
5. Big Box uses are defined as single tenant retail buildings over 70,000 square feet. Big Box uses are permitted by right with appropriate zoning only if the lot has frontage on the Dallas North Tollway, S.H. 121, or U.S. 380. Big Box uses are also permitted by right in the area bounded by the Dallas North Tollway, Warren Parkway, Ohio Drive, and S.H. 121. They are permitted by Specific Use Permit (SUP) in other areas where zoning is appropriate

D. Landscaping and Open Space

1. Landscaping shall conform to the requirements found in Article IV, Section 2. In addition to these requirements, required parking lot trees may be consolidated into groups under the following conditions:
 - a. The number of required trees is one (1) per ten (10) parking spaces.
 - b. Consolidated tree islands require 180 square feet per tree.
 - c. The maximum run of parking spaces is increased from fifteen (15) to thirty (30).
 - d. This consolidation does not include the tree islands at the end of a row of parking or along perimeter parking rows that face a drive aisle or street.
 - e. A consolidated tree island shall not be located closer than five (5) parking spaces from an end of row tree island.
2. For nonresidential development, 7% of the net lot area is required to be provided as open space. The open space may consist of any element that is not one of the following:
 - a. Vehicular paving.
 - b. Required parking lot tree islands.
 - c. Building footprint.
 - d. Utility yards.
 - e. Required landscape edges.

- f. Detention ponds without a constant water and not located between the building and street.

E. Exterior Appearance of Buildings and Structures

1. Windows shall conform to the following criteria:
 - a. Glass shall have a maximum exterior visible reflectivity of 27%.
 - b. Pink or Gold Glass is not permitted.
2. Primary exterior materials shall conform to the requirements found in Article IV, Section 9.09. In addition to these requirements, the following criteria shall apply:
 - a. The use of Exterior Insulated Finishing System (EIFS) is not permitted below nine (9) feet above finished grade. The use of EIFS above nine (9) feet is limited to high impact EIFS.
 - b. In the Historic Sub-District, 100% of the first floor façade shall consist of clay-fired brick.
 - c. Secondary materials used on the façade of a building are those that comprise less than 10% of an elevation area. Permitted secondary materials are all primary materials, aluminum or other metal, or other materials as approved by the Director of Planning or his/her designee.
 - d. Structured parking garages for nonresidential or multifamily development must be finished on all four sides in the same materials as the main building, or another material as approved by the Director of Planning, or his/her designee.
3. All retail/commercial buildings shall be architecturally finished on all four sides with same materials, detailing, and features if only one row of trees is planted on the perimeter behind the building.
4. All retail/commercial buildings shall be architecturally finished on all four sides with same materials, detailing, and features except the rear if two rows of trees are planted on the perimeter behind the building. In this case, the architectural finish must match the remainder of the building in color only. A double row of trees on offset fifty (50) foot centers in a fifteen (15) foot landscape edge, where 50% of the trees are canopy evergreen trees. This is for facades that are not visible from public streets and apply to anchor buildings and attached in line spaces only. Does not include "out" buildings.
5. All office buildings shall be architecturally finished on all four sides with the same materials, detailing, and features.

6. All buildings shall be designed to incorporate no less than four (4) of the architectural elements from the list below. Buildings over fifty thousand (50,000) square feet must include a minimum of six (6) of the referenced architectural elements. Buildings over one hundred thousand (100,000) square feet must include a minimum of seven (7) of the referenced architectural elements.
 - a. Canopies, awnings, or porticos;
 - b. Overhangs;
 - c. Recesses/projections;
 - d. Arcades;
 - e. Peaked roof forms;
 - f. Arches;
 - g. Outdoor patios;
 - h. Display windows;
 - i. Architectural details (such as tile work and moldings) integrated into the building facade;
 - j. Articulated ground floor levels or base;
 - k. Articulated cornice line;
 - l. Integrated planters or wing walls that incorporate landscape and sitting areas;
 - m. Offsets, reveals or projecting rib used to express architectural or structural bay;
 - n. Accent materials (minimum 15% of exterior facade);
 - o. Varied roof heights;
 - p. Or other architectural features approved by the Director of Planning or his/her designee.
7. All retail/commercial buildings with facades greater than 200 feet in length shall incorporate wall plane projections or recesses that are at least six (6) feet deep. Projections/recesses must be at least 25% of the length of the facade. No uninterrupted length of facade may exceed 100 feet in length. This requirement does not apply to industrial and office buildings.
8. All buildings within a common retail development, as shown on a Concept Plan or Preliminary Site Plan, shall have similar architectural styles, materials, and colors.
9. Conceptual facade plans and sample boards shall be submitted with the Preliminary Site Plan application for all non-residential uses. The purpose of the conceptual facade plan is to ensure consistency and compatibility for all buildings within a single development. Facade plans will be used only to ensure minimum standards are met.

10. A final facade plan and sample boards shall be submitted with the Final Site Plan application for all non-residential and multifamily uses. Facade plans will be used only to ensure minimum standards are met.
11. Corporate identities that conflict with the building design criteria shall be reviewed on a case by case basis and approved by the Director of Planning or his/her designee. The applicant can appeal the decision to the Planning & Zoning Commission and City Council.

F. Parking

1. Parking aisles shall be designed as to be perpendicular to the front of the primary building in the development.
2. All parking spaces for a building must be located within 350 feet of walking distance from the building's public entrance. Big Box uses are excluded from this requirement.
3. Parking spaces that face and are adjacent to a building shall utilize wheel stops and/or bollards.
4. Office development within the Tollway Overlay District is excluded from the requirements found in Article III, Section 5.05(F, 1-3).
5. Retail developments containing between 100,000 and 400,000 square feet of retail floor area may reduce their parking ratio from five (5) spaces per 1,000 square feet to four (4) spaces per 1,000 square feet of floor area. For developments that contain over 400,000 square feet of floor area, parking can be reduced to four and a half (4.5) spaces per 1,000 square feet of floor area. The space that would otherwise be used for parking shall be left as open space with plans to convert it to parking if determined necessary by the property owner or the Director of Planning or his/her designee.
6. Main building in-line restaurants may reduce their parking from one (1) space per one hundred (100) square feet of floor area to one (1) space per two hundred (200) square feet of floor area. This reduction is available for up to ten percent (10%) of the main building's total floor area. This reduction is not available to Private Clubs and/or Alcoholic Beverage Establishments. (ZA09-0004)

G. Screening Criteria for Utilities, Mechanical, and Service Facilities

1. All loading and service areas shall be screened from view from adjacent public streets. Screening shall be by walls with complimentary landscaping that is compatible with the project design.
 - a. Screening walls shall be fourteen (14) feet tall with one row of perimeter evergreen trees adjacent to the loading area.
 - b. A screening wall is not required if a double row of perimeter evergreen trees is provided on offset fifty (50) foot centers within a fifteen (15) foot landscape edge. Fifty percent (50%) of the trees shall be canopy evergreen trees.
2. Trash and Recycling Collection Areas:
 - a. Trash and recycling collection areas shall be located to minimize visibility.
 - b. Trash and recycling receptacles shall be screened with a six (6) foot clay fired brick or stone wall of a color that is consistent with the color of the primary building. Screening enclosures shall be visually and aesthetically compatible with the overall project.
 - c. Trash compactors shall be screened with an eight (8) foot clay fired brick or stone wall of a color that is consistent with the color of the primary building. Screening enclosures shall be visually and aesthetically compatible with the overall project.
 - d. Collection area enclosures shall contain permanent walls on three sides with the service opening not directly facing any public right-of-way or any residentially zoned property. The fourth side will incorporate a metal gate to visually screen the dumpster or compactor.
3. Exposed conduit, ladders, utility boxes, and drain spouts shall be painted to match the color of the building or an accent color. Natural metal finishes are an acceptable alternative to paint.
4. All mechanical equipment shall be screened from view at a point six feet (6') above ground level at the property line. If a parapet does not accomplish this screening, a screening wall equal to the height of the equipment shall be provided. Buildings adjacent to single family zoned property or property that is designated as single family on the Future Land Use Plan shall provide a screening wall equal to the height of the equipment on all sides that face the residential property.

H. Placement of Utilities

1. All new utilities shall be buried underground as specified in the Subdivision Regulation Ordinance.

2. Existing utilities shall be relocated underground upon development as specified in the Subdivision Regulation Ordinance Section 7.09(15).

I. Pad Sites

1. A pad site is defined as a retail building of 6,000 square feet or less.
2. Pad sites at retail centers along the Dallas North Tollway shall be limited to one for every five acres, or portion thereof, of the overall development.
3. Additional pad sites will be permitted if one 210-foot long view corridor is provided per 1,000 feet, or portion thereof, of street frontage for each street adjacent to the property. A view corridor is defined as a separation between buildings along the street frontage. This view corridor is encouraged to be located at or near a median opening.
4. City Council can approve a variance to this requirement.

J. Retail/Residential Connections

1. A drive connection is required between adjacent retail and residential properties unless otherwise approved by the Director of Planning or his/her designee.
2. A drive connection is not required between adjacent office and residential properties.

5.06 SUB-DISTRICT REQUIREMENTS

A. U.S. 380 Gateway -

1. Setbacks

The minimum front yard is fifty feet (50') and shall include a thirty-foot (30') landscape edge. No parking or drive aisles may occur in the landscape edge. The minimum front yard for buildings of six (6) or more stories may be reduced to twenty five (25) feet with a twenty five (25) foot landscape edge.

2. Building Height

The maximum building height permitted is unlimited.

3. Floor Area Ratio

The maximum floor area ratio permitted is unlimited.

B. S.H. 121 Gateway -

1. Setbacks

The minimum front yard is fifty feet (50') and shall include a thirty-foot (30') landscape edge. No parking or drive aisles may occur in the landscape edge. The minimum front yard for buildings of six (6) or more stories may be reduced to twenty five (25) feet with a twenty five (25) foot landscape edge.

2. Building Height

The maximum building height permitted is unlimited.

3. Floor Area Ratio

The maximum floor area ratio permitted is unlimited.

C. Historic -

1. Setbacks

Setbacks in the Historic sub-district shall meet the requirements of the Original Town Commercial zoning district (see Article III, Section 2(5.04)).

2. Building Height

The maximum building height permitted is determined by the property's zoning.

3. Floor Area Ratio

The maximum floor area ratio permitted is determined by the property's zoning.

D. Typical -

1. Setbacks

The minimum front yard is fifty feet (50') and shall include a thirty-foot (30')

landscape edge. No parking or drive aisles may occur in the landscape edge.

2. Building Height

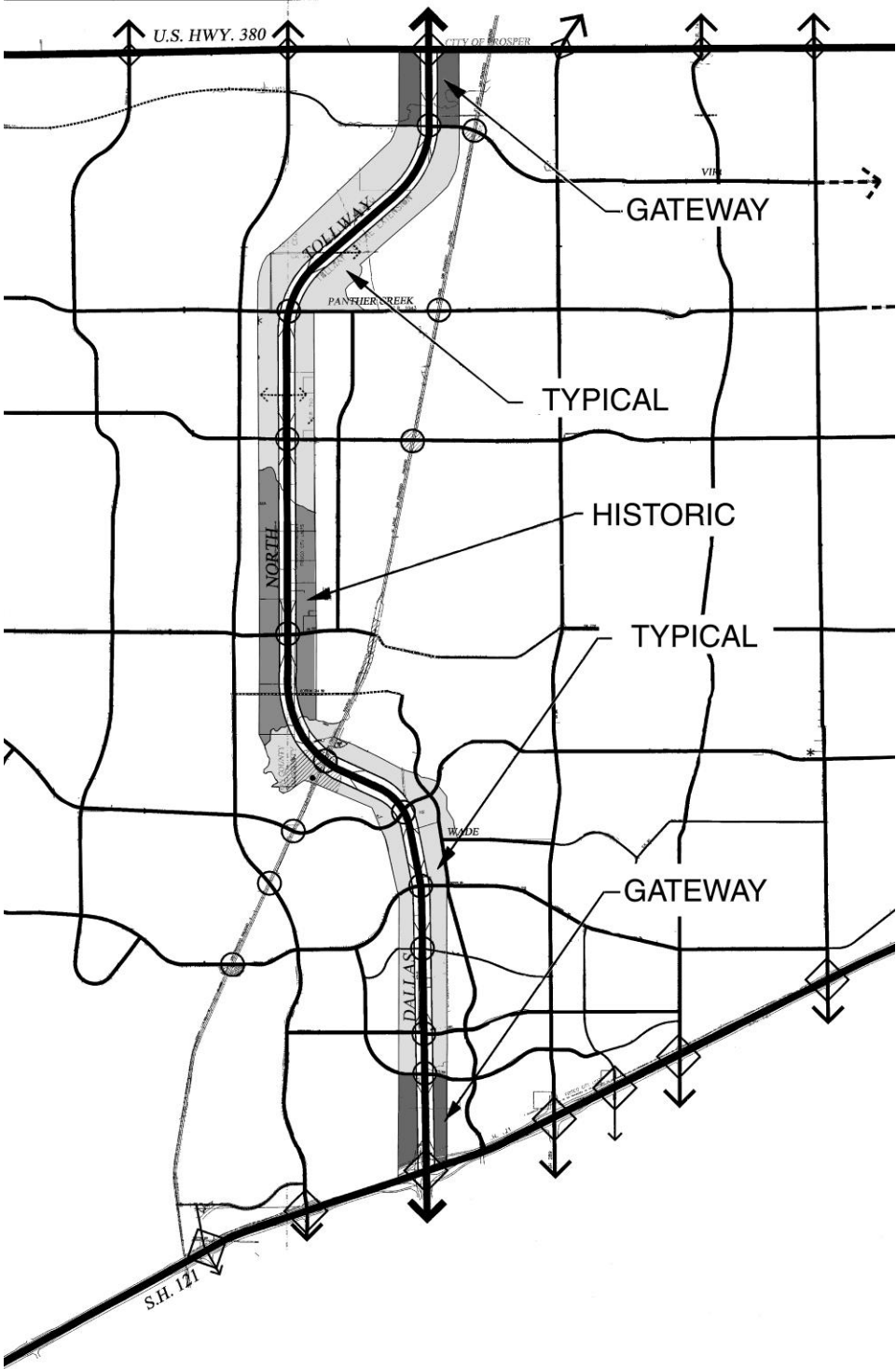
The maximum building height permitted is determined by the property's zoning.

3. Floor Area Ratio

The maximum floor area ratio permitted is 2:1.

5.07 TOLLWAY OVERLAY DISTRICT BOUNDARY MAP

A. See boundary map on next page.



Tollway Overlay District